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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

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 ANGEL PENA, A#40 075 603, :
 Petitioner, : STIPULATION
 AND ORDER
 - v. - :
 07 Civ. 7951 (AKH)
 ANDREA QUARANTILLO, et al., :
 Respondents. :
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IT IS STIPULATED AND AGREED, by and between the undersigned counsel for the parties, that (1) the above-captioned action be and hereby is restored and held in abeyance until the Plaintiff is naturalized as a United States citizen upon taking the oath of allegiance to the United States, which is expected to occur within 45 days of the date of the instant stipulation, and (2) the instant action be dismissed with prejudice and without costs or attorney's fees to any party upon naturalization of the Plaintiff as a United States citizen.

Dated: New York, New York
 June 20, 2008

BRETZ & COVEN, LLP
 Attorneys for Petitioner

By: /s/
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Dated: New York, New York
 June 20, 2008

MICHAEL J. GARCIA
 United States Attorney for the
 Southern District of New York
 Attorney for Respondents

By: /s/
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 Special Assistant United States Attorney
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SO ORDERED:

 HON. ALVIN K. HELLERSTEIN
 UNITED STATES DISTRICT JUDGE